



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

COPY MAILED

APR 28 2006

OFFICE OF PETITIONS

In re Application of :
Nakada et al. :
Application No. 09/832,488 :
Filed: April 11, 2001 :
Atty Dckt No. :
954-007861-US (D01) : ON PETITION

This is a decision on the Petition to Withdraw Holding of Abandonment Based Under MPEP §§ 711.02 and 711.03(C), filed March 30, 2006.

This Petition is hereby granted.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed June 15, 2005. The Notice set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No response having been received, the application became abandoned September 16, 2005. A Notice of Abandonment was mailed March 2, 2006.


With the instant petition, Petitioner has demonstrated non-receipt of the Notice by a preponderance of the evidence.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

No fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 2145 for re-mailing of the Notice of Allowance.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
Attorney
Office of Petitions